Intermec Technologies Corp. v. Palm, Inc. Doc. 172

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

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| CLRB HANSON INDUSTRIES, LLC d/b/a INDUSTRIAL PRINTING, and HOWARD STERN, on behalf of themselves and all others similarly situated,<br><br>Plaintiffs,<br><br>vs.<br><br>GOOGLE, INC.,<br><br>Defendant. | CASE NO: C05-03649 JW<br><br>**[PROPOSED] ORDER DENYING DEFENDANT GOOGLE INC.'S ADMINISTRATIVE MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL IN CONNECTION WITH GOOGLE INC.'S REPLY TO PLAINTIFFS' SUPPLEMENTAL OPPOSITION TO GOOGLE INC.'s MOTION FOR SUMMARY JUDGMENT**<br><br>Civil L. R. 79-11<br>Civil L. R. 79-5<br>Courtroom: 8<br>Judge: Hon. James W. Ware |

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Defendant Google Inc. has made an Administrative Motion for Leave to File Documents Under Seal. The Court has duly considered the submissions and arguments of counsel for both parties and finds that there is no good cause to grant Google's request to file Google Inc.'s Reply to Plaintiffs' Supplemental Opposition to Google Inc.'s Motion for Summary Judgment under seal. Nor has Defendant made the requisite showing with respect to Exhibits A - C of the Supplemental Declaration of M. Christopher Jhang in Support of Google, Inc.'s Reply to Plaintiffs' Supplemental Opposition to Google Inc.'s Motion for Summary Judgment. Google has not shown that it possesses overriding confidentiality interests that overcome the right of public access to the record nor to support sealing the record. Nor has Google shown that it is likely to be prejudiced nor irreparably harmed. Google's requested sealing is not narrowly tailored, it does not comport with the parties' confidentiality stipulation and there are less restrictive means to achieve any confidentiality interests.

IT IS THEREFORE ORDERED that Google's Administrative Motion for Leave to File Documents Under Seal in Connection with Google Inc.'s Reply to Plaintiffs' Supplemental Opposition to Google Inc.'s Motion for Summary Judgment is DENIED.

IT IS SO ORDERED.

Dated: May __, 2007

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The Honorable James Ware
United States District Court Judge